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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, APRIL 16, 2002

APPLICATION OF

SOMMERSBY WATER COMPANY, INC.

CASE NO. PUE-2001-00012

For a certificate of public
convenience and necessity
pursuant to Section 56-265.3 of
the Code of Virginia

FINAL ORDER

On November 5, 2001, Sommersby Water Company, Inc.
("Sommersby" or "the Company"), filed an application requesting
authority pursuant to §§ 56-89 and 56-90 of the Code of Virginia
to purchase from Sommersby Development Corporation the water
facility assets of the Sommersby subdivision in Botetourt
County, Virginia. In addition, Sommersby also sought approval
of its proposed rates, rules, and regulations of service as
follows:

1. Service Connections

- | | |
|---|--|
| (a) 3/4 inch service
connection | \$1,000.00 |
| (b) Service connection
over 3/4 inch | \$1,000.00 plus any cost greater
than for a 3/4 inch connection |

2. Water Rates (available to all customers other than
customers purchasing water for resale):

Bi-monthly Rates

For any portion of the first 4,000 gallons	\$20.00
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For the next 1,000 \$3.00 per each 1,000 gallons
gallons
3. Minimum Charge

There shall be a bi-monthly minimum service charge of \$20.00 for water service, and no bill will be rendered for less than the minimum charge. This minimum bi-monthly service charge shall become effective when the water service is connected to the lot.

On February 23, 2001, the Commission issued an Order Inviting Comments and Requests for Hearing. The Commission's Order directed the Company to give notice of its application and provided that any interested person desiring to comment could do in writing on or before April 22, 2001. The Company filed its proof of notice with the Commission on April 16, 2001. No comments or requests for a hearing were received. The Commission also directed its Staff to review and analyze the Company's application and to file a report detailing its findings and recommendations. By subsequent Orders of the Commission the date for the filing of the Staff report was extended to January 16, 2002.

On January 16, 2002, Staff filed its Report. Staff noted that there were no comments or requests for hearing. Staff recommended approval of the proposed acquisition of water facility assets by Sommersby. Staff recommended that the Commission grant Sommersby a certificate of public convenience and necessity to provide water service. Additionally, Staff's

findings indicated that the rates proposed in the Company's application were not excessive and recommended the approval of Sommersby's proposed rates, rules, and regulations of service.

NOW THE COMMISSION, having considered the application, Staff's Report, and applicable law, is of the opinion that the above-captioned application should be approved. We find that the above-described transfer of utility assets will neither impair nor jeopardize the provision of adequate service to the public at just and reasonable rates.

Accordingly, IT IS ORDERED THAT:

(1) Pursuant to §§ 56-89 and 56-90 of the Code of Virginia, Sommersby Water Company, Inc., is hereby granted authority to purchase from Sommersby Development Corporation the water facility assets of the Sommersby subdivision.

(2) The granting of the above-referenced authority shall have no ratemaking implications.

(3) The Company shall submit a Report of Action to the Commission's Director of Public Utility Accounting no later than 30 days from the date of the transfer, subject to extension by the Director of Public Utility Accounting, providing notice that the transfer has taken place.

(4) The Company's proposed rates, rules, and regulations of service are hereby approved as filed.

(5) Sommersby Water Company, Inc., shall be granted a certificate of public convenience and necessity, Certificate No. W-308, authorizing it to provide water service to the above-referenced Sommersby subdivision in Botetourt County, Virginia.

(6) This case shall be hereby dismissed.